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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PAMELA McSWAIN,

Plaintiff,

V.

UNITED STATES OF AMERICA

Defendant.

Case No: 2:15-cv-01321-GMN-GWF

**MOTION TO EXTEND DUE DATE
TO FILE PROPOSED PROTECTIVE
ORDER**

(First Request)

Pursuant to Fed. R. Civ. P. 6(b) and Local Rule IA 6-1, Federal Defendant requests a one-week extension of time for the parties to file a proposed protective order, as contemplated by the Court's recent Order, ECF No. 31. More specifically, and for the reasons set forth below, Federal Defendant requests that the due date of September 9, 2016 (ten days after entry of Order #31) be extended to September 16, 2016.¹ This is the first request to extend such due date to file a proposed protective order.

This motion is based on the Memorandum of Points and Authorities below, along with all papers and pleadings on file.

Respectfully submitted this 2nd day of September 2016.

DANIEL G. BOGDEN
United States Attorney

/s/ Patrick A. Rose
PATRICK A. ROSE
Assistant United States Attorney

¹ The Order also sets a status hearing for September 13, 2016. Federal Defendant defers to the Court on whether to keep or reschedule such hearing in light of this to request to file the proposed protective order on or by September 16, 2016.

MEMORANDUM OF POINTS AND AUTHORITIES

On August 30, 2016, the Court entered an Order (ECF No. 31) in which it, among other things, directed the parties to meet, confer, and file a proposed protective order within ten days, which would be September 9, 2016.

September 5, 2016 is a judicial holiday, and defense counsel will be out of state for training and continuing legal education credits September 5-9, 2016, as well as out of the office on September 12, 2016.

Since the entry of the Order, defense counsel has had to devote time and attention to, among other things, preparing by September 2, 2016 a responsive brief in *Rosiere v. United States*, 2:15-cv-02187-APG-GWF, as the brief is due the following week when counsel will be out of town. Additionally, agency counsel for TSA, with whom defense counsel must confer about the contemplated protective order and other requirements of the Court's Order, is out of the office September 2, 2016.

Under these circumstances, defense counsel will not be able to prepare and coordinate with Plaintiff's counsel a protective order to be filed by the current due date of September 9, 2016. For these reasons, Federal Defendant requests a one-week extension of time, from September 9, 2016 to September 16, 2016, for the parties to file a proposed protective order.

This motion is submitted for the reasons explained above, in good faith, and not for purposes of undue delay.

Dated this 2nd day of September 2016.

DANIEL G. BOGDEN
United States Attorney

/s/ Patrick A. Rose
PATRICK A. ROSE
Assistant United States Attorney

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE
DATED: September 6, 2016

PROOF OF SERVICE

I, Patrick A. Rose, certify that the following individual was served with the **MOTION TO EXTEND DUE DATE TO FILE PROPOSED PROTECTIVE ORDER** on the date and via the method of service identified below:

Electronic Case Filing:

Paul S. Padda, Esq.
Paul Padda Law, PLLC
4240 West Flamingo Road, Suite 220
Las Vegas, Nevada 89103
Attorneys for Plaintiff

Dated this 2nd day of September 2016.

/s/ Patrick A. Rose
PATRICK A. ROSE
Assistant United States Attorney